



AGENDA COMMON COUNCIL

Tuesday, May 1, 2012

To immediately follow the 6:30 p.m. Committee of the Whole meeting
Common Council Chambers, 224 East Jefferson Street

Mayor Robert Miller
Robert Prailes, Alderman, 1st District
Edward Johnson, Alderman, 1st District
Peter Hintz, Alderman, 2nd District
Ruth Dawidziak, Alderman, 2nd District
Tom Vos, Council President and Alderman, 3rd District
Steve Rauch, Alderman, 3rd District
Katie Simenson, Alderman, 4th District
Tom Preusker, Alderman, 4th District

Student Representatives:

Sarvpal Dhillon, Burlington High School
Dale Morrow, Burlington High School

1. Roll Call
2. Pledge of Allegiance to the Flag.
3. Citizen Comments.
4. Chamber of Commerce Representative.
5. Approval of the Common Council minutes for April 17, 2012. (*P. Hintz*)
6. Letters and Communications: (*T. Vos*)
 - A. A memorandum from Kevin Lahner regarding a proposed additional refunding of General Obligation Bonds.
7. Reports by Aldermanic Representatives and Department Heads.
8. Reports 1-8: (*S. Rauch*)
 - Report 1 – Community Development Authority minutes, October 4, 2012
 - Report 2 – Library Board minutes, February 28, 2012
 - Report 3 – Burlington Housing Authority minutes, February 29, 2012
 - Report 4 – Plan Commission minutes, March 13, 2012
 - Report 5 – Burlington Housing Authority minutes, March 21, 2012
 - Report 6 – Historic Preservation Commission minutes, March 22, 2012
 - Report 7 – Library Board minutes, March 27, 2012
 - Report 8 – Committee of the Whole minutes, April 4, 2012

9. Payment of Vouchers. (*K. Simenson*)
10. Licenses and Permits. (*R. Prailes*)
11. Appointments and Nominations: (*E. Johnson*)
 - A. Susan Hein to be appointed to the Board of Review, replacing Larry Dornacher, term to expire 5/1/17.

11. **PUBLIC HEARINGS:**

- A. A Public Hearing to consider a rezone request from Megan MacCarthy for property located at 216 W. Jefferson Street to rezone the property from Rd-2, Two-Family Residential District to B-2, Central Business District. (*P. Hintz*)
- B. A Public Hearing to hear public comment regarding a request to amend the Racine County Multi-Jurisdictional Comprehensive Plan for property located at 216 W. Jefferson Street Medium Density Residential to Commercial. (*T. Vos*)
- C. A Public Hearing to consider a rezone request from JW West Ridge, LLP for property located at 649-657 W. State Street to rezone the property from B-1, Neighborhood Business District to Rm-2/PUD, Multi-Family Residential District with a Planned Unit Development Overlay. (*S. Rauch*)
- D. A Public Hearing to hear public comment regarding a request to amend the Racine County Multi-Jurisdictional Comprehensive Plan for property located at 649-657 W. State Street Commercial to High Density Residential. (*K. Simenson*)

13. **RESOLUTIONS:**

- A. Resolution 4553(4) to award the sale of \$3,190,000 General Obligation Street Improvement Bonds, Series 2012A. This item was discussed at tonight's Committee of the Whole meeting. (*R. Prailes*)

14. **ORDINANCES:**

None.

15. **MOTIONS:**

- A. Motion 12-740 to approve a Certificate of Appropriateness Application in the HPC Overlay District for 133 E. Chestnut Street. This item was discussed at tonight's Committee of the Whole meeting. (*E. Johnson*)

- B. Motion 12-741 to approve a Certificate of Appropriateness Application in the HPC Overlay District for 492 N. Pine Street. This item was discussed at tonight's Committee of the Whole meeting. *(P. Hintz)*
- C. Motion 12-742 to approve a Certificate of Appropriateness Application and Sign Application in the HPC Overlay District for 615 N. Pine Street. This item was discussed at tonight's Committee of the Whole meeting. *(T. Vos)*

16. **ADJOURNMENT** *(S. Rauch)*

Note: If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 262-342-1161 at least 24 hours prior to the meeting.



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

Common Council Agenda Item Number: 5	Date: May 1, 2012
Submitted By: Beverly R. Gill, City Clerk	Subject: Meeting Minutes

Details:

Attached please find the minutes from April 17, 2012 Common Council meeting. Staff recommends approval of these minutes.

Options & Alternatives:

N/A

Financial Remarks:

None.

Executive Action:

Staff recommends that the Common Council approve these minutes at the May 1, 2012 Common Council meeting.



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**City of Burlington
Official Minutes
Common Council
Robert Miller, Mayor
Beverly R. Gill, City Clerk
April 17, 2012**

1. CALL TO ORDER - ROLL CALL

Mayor Bob Miller called the meeting to order at 6:30 p.m. starting with roll call. Aldermen present: Bob Prailes, Peter Hintz, Jim Prailes, Tom Vos, Steve Rauch, Jeff Fischer, Katie Simenson. Excused: Ed Johnson

Student Representative present: Dale Morrow, Paul Dhillon

Also present: City Attorney John Bjelajac, Judge Marvin V. Daniel, City Administrator Kevin Lahner, Police Chief Peter Nimmer, Treasurer Steve DeQuaker, Assistant to the Administrator Megan Johnson, Public Works Director Connie Wilson, Public Works Supervisor Dan Jensen, Library Director Gayle Falk, Fire Chief Dick Lodle, Tom Foht of Kapur Engineering

2. APPROVAL OF CITY COUNCIL MINUTES FOR APRIL 4, 2012

A motion was made by Rauch with a second by Jim Prailes to approve the council minutes from April 4, 2012. With all in favor, the motion carried.

3. ELECTION REPORT FROM APRIL 3, 2012 SPRING ELECTION

A motion was made by Simenson with a second by Vos to approve the April 3, 2012 Spring Election Report. With all in favor, the motion carried.

4. ADMINISTRATION OF OATH OF OFFICE TO NEWLY ELECTED OFFICIALS BY HONORABLE MARVIN V. DANIEL, JUDGE

The following were given the oath of office by Judge Marvin V. Daniel:

- Alderman Second District Ruth Dawidziak
- Alderman Third District Tom Vos
- Alderman Fourth District Tom Preusker
- Mayor Bob Miller

5. ROLL CALL OF NEW COUNCIL

Aldermen present: Bob Prailes, Peter Hintz, Ruth Dawidziak, Tom Vos, Steve Rauch, Tom Preusker, Katie Simenson. Excused: Edward Johnson

6. APPOINTMENTS

A motion was made by Rauch with a second by Vos to appoint Ms. Jeanne Hoppe and Ms. Maureen De Rosier as election inspectors for 2012-2013. With all in favor, the motion carried.

7. APPOINTMENT OF TELLERS

The mayor appointed Megan Johnson and Kevin Lahner as tellers.

8. ELECTION OF COUNCIL PRESIDENT

Rauch nominated Vos for council president with a second from Prailes. A motion was made by Hintz to close the nominations with a second by Rauch. Being no other nominations, Vos was elected council president.

9. ELECTION OF ALDERMANIC REPRESENTATIVES TO CITY PLAN COMMISSION

A motion was made by Prailes with a second by Hintz to nominate Vos to the Plan Commission. A motion was made by Rauch with a second by Vos to nominate Prailes to the Plan Commission. A motion was made by Hintz with a second by Simenson to close the nominations. Being no other nominations, Vos and Prailes were elected to the Plan Commission.

10. ELECTION OF ALDERMANIC REPRESENTATIVE TO THE BOARD OF PUBLIC WORKS

A motion was made by Rauch with a second by Vos to nominate Simenson to the Board of Public Works. A motion was made by Hintz with a second by Vos to close the nominations. Being no other nominations, Simenson was elected to the Board of Public Works.

11. PAYMENT OF VOUCHERS

A motion was made by Hintz with a second by Simenson to approve the prepaids, vouchers and reimbursements in the amount of \$277,248.31. Roll Call Aye: Prailes, Hintz, Dawidziak, Vos, Rauch, Preusker, Simenson Nay: None Motion carried 7-0

12. LICENSES AND PERMITS

A motion was made by Rauch with a second by Vos to approve the licenses as presented. With all in favor the licenses were approved.

13. STATE OF THE CITY ADDRESS

The mayor presented the following "State of the City" address to the council members, department heads and visitors:

Good evening and welcome. I'd like to extend a special welcome to newly-elected City Aldermen Ruth Dawidziak in District 2 and Tom Preusker in District 4. Congratulations should also go to those City Aldermen who were re-elected to office, Ed Johnson and Tom Vos.

I said this before but it bears repeating. Over the next year many important issues will come before this Council for review and action. We must work closely together to serve the people of Burlington and their interests. This past year has been a difficult time for many families, businesses and organizations. We cannot lose sight of this reality. Yet, while there are challenges to face, our community has the durability, vitality, vision and resources to meet them along with the optimism and goodwill needed to build better lives and a better City.

Every day I am reminded that one of the City's greatest resources is our workforce. This administration has worked hard to make municipal operations more effective and efficient. We implemented new programs while maintaining a level work force over the last four years. This would not be possible without the commitment of department heads and all the employees of the City. I appreciate these efforts. As a community we can never take the hard work and dedication of City employees for granted.

Over the last year, we've made progress on several projects and issues that will provide lasting benefits for Burlington. We made important investments in the infrastructure of the City, while promoting a climate for economic development and growth.

These efforts are bound together by our common commitment to a vision of Burlington that supports individuals, families, businesses, organizations and local government in their efforts to work together and thrive. As a community we have the power to do this but success doesn't happen by accident.

Just recently the Council approved a plan, to improve a large portion of, and repair a large portion of the City's aging streets. These improvements will go a long way in upgrading the quality of city streets that have been classified as poor.

With the overall economy in the shape that it is, we are going to have to think outside the box again, like we had to do for the Hampton Inn, if we are going to attract new commercial and industrial entities to our city. We cannot afford to wait for new business to find us. We must become very active in searching out companies and help them find ways and reasons to locate in Burlington.

There are signs that the economy is improving. New retail stores have opened, Dunham Sports and Leisure Pool just to name a couple, and O'Reilly Auto parts will open this Fall. Retail sales through the city have increased, albeit slightly, also point to a slow improvement in the local economy.

On the commercial and industrial front, we saw the construction of a new headquarters for Canella Response Television, the expansion of Quad Graphics in the BMOP, and the recently announced expansion of Lynch Display Vans.

The City has opened talks with our partners, Racine Economic Development Corporation (RCEDC), with four new industries that have expressed a desire to locate here. Racine County no longer has any Class A industrial space available for new companies wishing to locate here. In order to address this problem we are working with RCEDC and development companies to build a Class A industrial space in our Burlington Manufacturing and Office Park (BMOP).

We are always looking for ways to consolidate services. We are now talking to our neighboring communities about the possibility of combining public works projects. The goal would be to combine street projects into one large package which would produce lower costs for the repairs. In addition, as new technology and machines are developed, we will be examining potential uses and the cost savings these new products may produce for the City.

We have recently combined services with Racine County. Some of the services that were provided at the Western Racine County Service Center are now handled by City Hall. In exchange the County is providing Human Resource services to City. The goal is to save money and to continue to provide services to the public.

Racine County has expressed a desire to close the Western Racine County Service Center. This building has out lived its usefulness and is in need of extensive and expensive repairs. City Hall is also showing its age and is in need of extensive and costly updates. The amount of money needed to remodel both of the buildings far exceeds the cost of building a new shared Government Center. We have opened discussions with the County about the construction of a government building in downtown Burlington. The new center would combine city government and county services into a "One Stop Shop". The goal is to have all government services available in one place.

The City is in sound financial shape. Our Budget for 2012 was set in December and provides for the funding of all City services. However, with the uncertainty of State government and what changes may occur, the 2013 Budget may present some very challenging problems for the new Council. To this end I have called for a Strategic Planning Session to be held this year. The outcome of the session will be to establish short and long term goals for the City.

In closing, I would like to thank the out going Council as well as City staff for the past accomplishments and the hard work that has kept this city moving forward. To the new Council, I challenge you to keep the city a great place to live, work and play, and to keep our great city moving forward.

13. APPOINTED ALDERMANIC REPRESENTATIVES

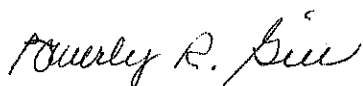
	Current Appointment	New Appointment
Airport Committee	Jim Prailes	Tom Preusker
ChocolateFest Committee	Ed Johnson	Katie Simenson
Community Development Authority	Jeff Fischer	Peter Hintz
Historic Preservation Committee	Peter Hintz	Ed Johnson
Library Board	Steve Rauch	Steve Rauch
Park Board	Robert Prailes	Robert Prailes
Western Racine County Health Dept.	Katie Simenson	Ruth Dawidziak

14. OTHER APPOINTMENTS

Current Appointment	New Appointment	Board/Commission/Authority	Term Expires
Larry Dornacher	Larry Dornacher	Board of Review	5/1/2017
Kelly Iselin	Kelly Iselin	Burlington Housing Authority	5/1/2017
Kay Pockat	Mary T. Boyle	Library Board	5/1/2015
Peter Turke	Ruth Delay	Park Board	5/1/2015
Chris Reesman	Chris Reesman	Plan Commission	5/1/2015
Ron Patla	Jeff Erickson	Police & Fire Commission	5/1/2017
Cheryl Mazmanian	Cheryl Mazmanian	Health Officer	5/1/2013

15. ADJOURNMENT

A motion was made by Vos with a second by Rauch to adjourn the meeting. With all in favor, the meeting adjourned at 6:53 p.m.



Beverly R. Gill
City Clerk
City of Burlington
Racine and Walworth Counties



CITY OF BURLINGTON

Administration Department
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Common Council Agenda Item Number: 6A	Date: May 1, 2012
Submitted By: Kevin Lahner, City Administrator	Subject: Communication A

Details:

Communication A – A memorandum from Kevin Lahner regarding a proposed additional refunding of \$1.4 million in taxable General Obligation Bonds.

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept this communication at the May 1, 2012 Common Council meeting.



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To: Mayor and Common Council
From: Kevin Lahner, City Administrator
Date: April 27, 2012

Re: Additional Refunding Bond for

Please see the enclosed spreadsheet from Ehlers regarding a proposed additional refunding of \$1.4 million in taxable General Obligation Bonds.

During the preparations for the road bond issue, we determined that additional savings could be achieved through refunding this bond issue as well. Based on conservative projections, the City will save \$29,367 net refunding fees if this issue is approved. The refunding would come forward at the May 15 meeting.

The City's Standard and Poors Bond Rating for this issue is the same as the road bond issue, AA-.

KML

City of Burlington, Wisconsin

Proposed \$1,460,000 Taxable G.O. Refunding Bonds

Dated: June 1, 2012 | Assumes West Bend AA taxable sale 4/16/12 + .25 (EXTRAPOLATED)

Total Issue Sources And Uses

Dated 06/01/2012 | Delivered 06/01/2012

	cur ref \$734.11 STF 1/13/04 UAAL	Cur ref \$342.194 STF 9/16/09 Gen.	Cur ref \$815 STF 2/2/11 ER- TID	Issue Summary
Sources Of Funds				
Par Amount of Bonds	\$510,000.00	\$185,000.00	\$765,000.00	1,460,000.00
Total Sources	\$510,000.00	\$185,000.00	\$765,000.00	\$1,460,000.00
Uses Of Funds				
Total Underwriter's Discount (1.000%)	5,100.00	1,850.00	7,650.00	14,600.00
Costs of Issuance	4,488.00	1,631.00	11,628.00	17,747.00
Deposit to Current Refunding Fund	500,412.00	181,519.00	745,722.00	1,427,653.00
Rounding Amount	-	-	-	-
Total Uses	\$510,000.00	\$185,000.00	\$765,000.00	\$1,460,000.00



City of Burlington, Wisconsin

Proposed \$1,460,000 Taxable G.O. Refunding Bonds

Dated: June 1, 2012 | Assumes West Bend AA taxable sale 4/16/12 + .25

Debt Service Comparison -- Accrual Basis

Calendar Year	New P+I	Old P+I	Savings
2012	-	-	-
2013	207,405.00	263,805.51	56,400.51
2014	206,145.00	264,888.70	58,743.70
2015	124,925.00	171,136.96	46,211.96
2016	123,800.00	171,136.96	47,336.96
2017	122,425.00	171,136.96	48,711.96
2018	120,775.00	171,136.96	50,361.96
2019	118,812.50	171,136.96	52,324.46
2020	116,550.00	171,136.90	54,586.90
2021	114,025.00	62,527.70	(51,497.30)
2022	111,225.00	62,527.70	(48,697.30)
2023	108,200.00	29,808.79	(78,391.21)
2024	105,025.00		(105,025.00)
2025	101,700.00		(101,700.00)
-	\$1,681,012.50	\$1,710,380.10	\$29,367.60



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Common Council Agenda Item Number: 8	Date: May 1, 2012
Submitted By: City Staff	Subject: Reports 1-8

Details:

Attached please find the following reports:

- Report 1 – Community Development Authority minutes, October 4, 2012
- Report 2 – Library Board minutes, February 28, 2012
- Report 3 – Burlington Housing Authority minutes, February 29, 2012
- Report 4 – Plan Commission minutes, March 13, 2012
- Report 5 – Burlington Housing Authority minutes, March 21, 2012
- Report 6 – Historic Preservation Commission minutes, March 22, 2012
- Report 7 – Library Board minutes, March 27, 2012
- Report 8 – Committee of the Whole minutes, April 4, 2012

Options & Alternatives:

N/A

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept these reports at the May 1, 2012 Common Council meeting.

COMMUNITY DEVELOPMENT AUTHORITY

October 4, 2011, 5:30 p.m.

Council Chambers, 224 East Jefferson Street
5:30 p.m.

1. ROLL CALL

The following commissioners were in attendance: Mayor Bob Miller, Bil Scherrer, Jack Eckola, Jim Spiegelhoff, Tom Wiemer, City Attorney John Bjelajac Excused: Judie Lemieux Absent: Alderman Jeff Fischer

2. PUBLIC COMMENTS

None

3. REVIEW AND CONSIDERATION OF RESOLUTION 106, APPROVING THE FOURTH AMENDMENT TO A FINANCING AGREEMENT BETWEEN THE CDA AND THE FRANCISCAN FRIARS ASSUMPTION BVM PROVINCE, INC. WITH RESPECT TO THE \$3,475,000 SENIOR HOUSING REVENUE BOND, SERIES 1999

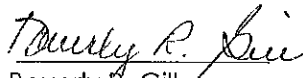
The mayor described Resolution 106 as an issue the city inherited from the Town of Burlington because of an annexation. He described this issue as an agreement between the Franciscan's and their bank with part of their loan agreement having a rate adjustment factor. The mayor stated there is no liability for either the CDA or the City of Burlington with this financial agreement. He said this resolution will allow future rate changes to happen without having to be brought back to the CDA. The mayor described this resolution as more of a housekeeping issue.

Eckola stated the CDA was not approving a particular rate, but rather approving the change in the process.

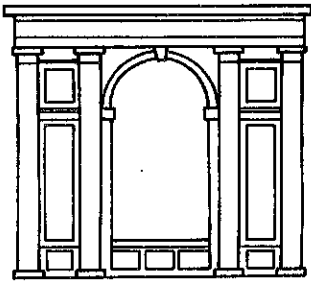
A motion was made by Spiegelhoff with a second by Wiemer to approve Resolution #106. Roll Call Aye: Scherrer, Miller, Eckola, Spiegelhoff, Wiemer Nay: None Motion carried 5-0

4. ADJOURNMENT

A motion was made by Eckola with a second by Wiemer to adjourn the meeting. With all in favor, the meeting was adjourned at 5:37 p.m.



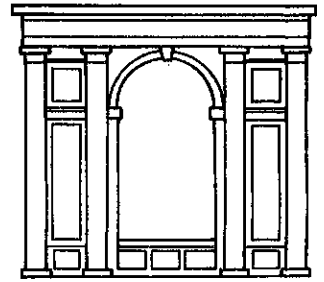
Beverly R. Gill
City Clerk
City of Burlington
Racine and Walworth Counties



Burlington Public Library

166 East Jefferson Street • Burlington, Wisconsin 53105
(262) 763-7623 • Fax (262) 763-1938

www.burlingtonlibrary.org



Minutes of the Burlington Public Library Board of Trustees

The Burlington Public Library Board of Trustees met on Tuesday, February 28, 2012 in the Burlington Public Meeting Room. Present were Penny Torhorst, Steve Rauch, Pat Hurley, and Scott Johnson. Excused were Mike Kelly, Dianne Boyle, Pat Hoffman, Dr. David Moyer, and Kay Pockat. Also present were Library Director Gayle Falk, Administrative Assistant Linda Berndt, and high school representative Miranda Meyers.

Torhorst called the meeting to order at 4:00.

Minutes of the January 24, 2012 meeting were approved. Hurley moved, and Johnson seconded. Motion passed.

The February General Fund Bills, Prepaids, Reimbursements, January 2012 General Fund Deposits were discussed and approved. Johnson moved approval and Rauch seconded. Motion passed.

Johnson moved and Rauch seconded the motion to approve the February 2012 Trust Fund Bills and the January 2012 Trust Fund Deposits. Motion passed.

Committee Reports: There were no reports at this time.

Federated Library Report: Falk reported that Kristin Hewitt, Lakeshores Library System Administrator, has reached an agreement with the System to adjust her work schedule temporarily. She will resume additional hours in fall.

Old Business: There was none at this time.

New Business:

The Annual Report needs to be filed with the State by March 1st. Falk presented the annual report and discussion followed. Johnson moved to accept the information presented in the annual report and also stated that we felt that the Lakeshores Library System has provided us with effective leadership. Hurley seconded the motion and the motion passed. Torhorst signed several copies of the annual report.

Long Range Goals: Library Building Project. Falk stated that she would like to invite City Administrator Kevin Lahner to our next Board Meeting to explain what the City's plans are for a new library. Falk is starting to collect background information on new libraries. She would also like to visit new or newly remodeled libraries to get a feel of what it is that we would like or not like for our building. Discussion followed on empty buildings in the City and if any would be appropriate for a library.

Friends of the Library: The Friends group has paid for the computers, software, furniture, and electrical upgrade for the computers. They are planning on sending out another letter to acquire additional funds to complete the project.

Directors Report:

Falk reported that our microfilm machine was in need of repair last week. It took several days to locate the part necessary to repair it. Our machine is discontinued and finding parts is very hard. Since the part has been replaced it has been working fine. Falk wants the Board to be aware that if the machine breaks down the parts may not be available. If the machine fails during the year, since this is not in this year's budget, she will be asking the Board to use Trust money to purchase a new machine. A new machine can cost \$11,000.00 with a yearly maintenance fee of \$900.00. If the machine survives the year Falk will be putting it in the 2013 budget.

Monthly Report: We have had more than usual traffic and circulation in January. Falk felt the good weather may have contributed.

BPL in the news: There were several calendar events in the newspaper this past month.

Falk reported to the Board that the Plaza Theater Classic Movie Program has been cancelled. However, Joy has been asked to do a book talk and lead some games when they show the movie "The Hunger Games".

Falk handed out a copy of the Annual Report that we prepare in-house. It contains reports from each of the library's departments on challenges and accomplishments of the year.

For some years, we have received money from area grocery stores from patron purchases. Pick n Save has discontinued the program, but the Sentry program still provides the library with significant funds. It was suggested that we specify in our reports that the grocery funds are actually all from Sentry now.

Public Communication to the Board: There were none at this time.

Meeting was adjourned at 5:05 p.m. Hurley moved and Johnson seconded. Motion passed.

Our next meeting will be on Tuesday, March 27th at 4:00 p.m. in the Burlington Public Library meeting room.

Respectfully submitted,

A handwritten signature in cursive script that reads "Steve Rauch".

Steve Rauch
Aldermanic Representative

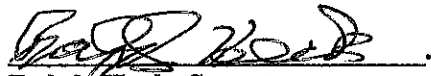
**City of Burlington Housing Authority
Riverview Manor**

February 29, 2012

The regular monthly meeting of the City of Burlington Housing Authority was held on Thursday, February 29th, 2012, 6:30 P.M. at Riverview Manor. The meeting was called to order by Chairman Lapp.

ADJOURNMENT:

Due to a lack of a quorum of board members present at this meeting, the meeting was adjourned at 6:40 P. M. Representatived from Dimension Development were scheduled to do a presentation to board members at this meeting and did speak to those members in attendance. They will return at a later date to do a power-point presentation when all board members are present.


Ralph Heck, Secretary



Minutes
City of Burlington Plan Commission
Police Dept. Courtroom
March 13, 2012, 6:30 p.m.

Mayor Robert Miller called the Plan Commission meeting to order this Tuesday evening at 6:30 p.m. Roll call: Alderman Tom Vos; Commissioners Darrel Eisenhardt, Chris Reesman and John Lynch, Town of Burlington Representative Phil Peterson, and Student Representative Bianca Clayton; Alderman Robert Prailes, Commissioner Michael Deans and Student Representative Kyle Burns were excused. Also present were City Administrator Kevin Lahner and Zoning Administrator Patrick Scherrer.

APPROVAL OF MINUTES

Commissioner Eisenhardt moved and Commissioner Lynch seconded to approve the minutes of February 14, 2012. All were in favor and the motion carried.

CITIZEN COMMENTS

None

LETTERS & COMMUNICATIONS

None

PUBLIC HEARINGS

A. A Public Hearing to hear public comments regarding a Conditional Use Application from Taco Bell for property located at 2056 Milwaukee Avenue to use for a drive-thru restaurant and to modify the existing Detailed Site Plan and Comprehensive Signage Plan in a Planned Unit Development (PUD).

- Mayor Miller opened the public hearing at 6:33 p.m.
- Patrick Scherrer introduced Brandon Baquet of Arc Vision on behalf of the applicant to the commission.
- Alderman Vos questioned if Long John Silvers is leaving the site and the building will become exclusively Taco Bell. Administrator Lahner stated that was correct.
- There were no further comments. Commissioner Lynch moved and Alderman Vos seconded to close the Public Hearing at 6:35 p.m. All were in favor and the motion carried.

OLD BUSINESS

None

NEW BUSINESS

A. Consideration to approve a Conditional Use and Site Plan application from Taco Bell for property located at 2056 Milwaukee Avenue to use for a drive-thru restaurant and to modify the existing Site Plan and Comprehensive Signage Plan; and to recommend approval to the Common Council to amend the Planned Unit Development (PUD) Detail Plans and Comprehensive Sign Plan.

- Mayor Miller opened this item for discussion.
- Commissioner Eisenhardt questioned why a Conditional Use Permit is required if a drive-thru window currently exists with the building. Mayor Miller responded that it is part of the process due to the site being within a Planned Unit Development. Miller also confirmed that there will be no building modifications, only signage changes.
- There were no further comments.

Commissioner Lynch moved and Commissioner Eisenhardt seconded to approve a Conditional Use and Site Plan at 2056 Milwaukee Avenue subject to Patrick Meehan's February 20, 2012 and Kapur & Associates' March 12, 2012 memorandums to the Plan Commission as follows:

- The sign area and height of the replacement signs for the drive-thru menu board shall not exceed the area and height of original City-approved menu board sign and that a drawing of said new menu board be submitted to the City Building Inspector for review for conformance with the dimensions of the City's earlier approved menu board sign.
- The sign area of the replacement signs for each of the two (2) freestanding monument signs shall not exceed the area of the original City-approved signage.
- The Developer's Agreement for the Lynch Ventures, LLC" property dated September 14, 2004 (Common Council Resolution No. 3838(44)), shall be amended and approved by the Common Council for the modified Detailed Plans and modified Comprehensive Signage Plan as deemed to be applicable by the City Attorney.
- "H.C Accessible Parking/Path of Travel Detail" shall be removed from plans as it is no longer planned for construction.

All in favor and the motion carried.

ADJOURNMENT

Commissioner Lynch moved and Alderman Vos seconded to adjourn the meeting at 6:37 p.m. *All were in favor and the motion carried.*



Recording Secretary
Megan E. Johnson
Assistant to the City Administrator

**City of Burlington Housing Authority
Riverview Manor**

March 21, 2012

The regular monthly meeting of the City of Burlington Housing Authority was held on Wednesday, March 21st. 2012, 6:30 P.M. at Riverview Manor. The meeting was called to order by Chairman Lapp.

COMMISSIONERS PRESENT: Chairman Lapp, Vice-Chairman Stubley, Secretary Heck, Commissioner Iselin, and Resident Manager, Dorothy Henning. Commissioner Stoeck was excused.

Minutes were dispersed to board members from the January 5th 2012 meeting along with minutes for the scheduled meeting of February 29th that was adjourned shortly after being called to order due to the lack of board members to make a quorum. A motion was made by Stubley, seconded by Iselin to approve the minutes as read, carried unanimously.

FINANCIAL REPORT:

Reserve Account balances as of February 29, 2012
(See attached statement balance sheet)

OCCUPANCY REPORT:

Manager Henning reported 12 on the waiting list for 1 bedroom units and 4 for 2 bedroom units.

BUILDING AND MAINTENANCE:

There was further discussion about the purchase cost and durability for new chairs in the Community Room. Manager Henning and Vice Chairman Stubley researched the internet for various office supply companies and presented different styles and prices that vary from \$29.99 to \$44.95. Warranty and durability of the chairs is a huge factor and Manager Henning will contact the company that had the chairs most favored by the board members to request the possible purchase of one chair for inspection.

The maintenance contract from PBBS for the PK boilers was discussed and a motion by Stubley, seconded by Heck to accept the PBBS contract excluding the mid season inspection. Motion carried

COMMUNICATION

Copies of the monthly bills and operating statements were dispersed and reviewed by board members

Chairman Lapp, Vice Chairman Stubley, Secretary Heck and Manager Henning met with the City Administrator and Mayor regarding the information received from Dimension Development for possible future rehab at Riverview Manor. Manager Henning will contact the developer to schedule a meeting in the near future to arrange for a presentation by the developer representatives.

Manager Henning and Debra Ratkowski , (Riverview Manor part-time employee) will attend the S.T.A.R. training session in Madison on April 17th. and 18th.

NEW BUSINESS: .

Manager Henning requested approval from the board members to place a ¼ page ad for housing at Riverview Manor in the Senior Resources Magazine.

UNFINISHED BUSINESS

Cigarette smoke and flame detector devices will be discussed again at a future meeting. The need for more research is felt necessary before making a decision.

ADJOURNMENT:

There being no further business, motion to adjourn was made by Heck, seconded by Stubley and carried unanimously. Meeting adjourned 7:40 P.M. The next monthly meeting for January, 2012 is tentatively scheduled for April 12, 2012.


Ralph Heck, Secretary



Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

**HISTORIC PRESERVATION COMMISSION
DRAFT MEETING MINUTES
THURSDAY, MARCH 22, 2012**

Call to Order

The meeting was called to order by Chairman Stelling at 3:30 p.m.

Roll Call

Chairman Stelling introduced John Lynch who will be a new member on the commission. He will be serving as the Planning Commission representative.

Present: Chairman Tom Stelling, Commissioners Jeff Erickson, Peter Hintz, John Lynch and Joel Weis. Commissioners Judy Stone, and Maria Veronico-Ventura were excused. Student Representatives Katie Hart and Serena Wanasek were not present. Building Inspector/Zoning Administrator Patrick Scherrer was excused. Also present was Stephanie Schulte of Racine County Economic Development Corporation.

Citizen Comments

There were no citizen comments.

Approval of February 23, 2012 Minutes

Chairman Stelling entertained a motion. Commissioner Hintz moved to approve the minutes of the February 23, 2012 meeting and Commissioner Erickson seconded. Chairman Stelling stated there is a minor correction to be made. He stated that under Citizen Comments it reads "This would create a subsequent lack of a quorum and "this" items would have to held over to a later date." Chairman Stelling stated that the word "this" needs to be corrected to "these". Recording secretary June Bobier affirmed that the change will be made. All aye. Motion carried.

166 E. Jefferson St., Burlington Public Library, Certificate of Appropriateness

Commissioner Erickson moved to approve the Certificate of Appropriateness for the replacement of two exterior doors with sand castle color. Commissioner Weis seconded. All aye. Motion carried.

492 N. Pine St. – Coffee House – Certificate of Appropriateness – Façade Renovations

Chairman Stelling recused himself due to a conflict of interest and gives the chair over to Commissioner Pete Hintz. Leslie Scherrer of the Scherrer Group was present and the commission advised her that the window needs to be wood and not vinyl. Presiding Chairman Hintz entertained a motion. Commissioner Erickson moved to recommend approval to the Common Council of the Certificate of Appropriateness as per Sections 2 and 3 of Meehan and Company's review as follows:

2. The window replacement frame style, colors, and workmanship are to match the historic character of the other windows located on the wall.
3. Brick masonry material types, colors, and workmanship are to match the historic mortar and brick (including the historic placement and tuckpointing style and the application). Masonry restoration and repair are not to include any type of cleaning or application of surface treatment such as paint or stain to the masonry.

Commissioner Weis seconded the motion. All aye. Motion carried.

Sign and awning permit

Presiding Chairman Hintz entertained a motion. Commissioner Erickson motioned to approve the sign permit application and also to recommend approval to the Common Council of the Certificate of Appropriateness for the signs and awning for the front of the building along Pine Street. He further motioned that this would not include any type of banner signs since the drawings did not indicate where they would be placed on the building. Commissioner Weis seconded. All aye. Motion carried.

Façade Grant Application

Commissioner Erickson moved to approve a façade grant in the amount of up to \$5,000 for façade work (painting and tuckpointing) and awnings on Chestnut St. only and not Pine Street due to Pine St. having gotten an earlier grant. Commissioner Hintz seconded. A roll call vote was taken: Lynch: Aye; Erickson: Aye; Hintz: Aye; Stone: Excused; Veronico: Excused; Weis: Aye. Motion carried.

Commissioner Erickson moved to approve a façade grant in the amount of up to \$250.00 for signage on E. Chestnut St. Commissioner Weis seconded. A roll call vote was taken: Lynch: Aye; Erickson: Aye; Hintz: Aye; Stone: Excused; Veronico: Excused; Weis: Aye. Motion carried.

Tom Stelling resumed his position as chairman.

Fred's Parkview, 596 N. Pine St.

Commissioner Lynch motioned to table this item due to the absence of the Zoning Administrator Pat Scherrer who was excused due to an illness and had some additional input on this item. Commissioner Weis seconded. All aye. Motion carried.

Discussion of Current Projects and Response Team Visits

Chairman Stelling stated that the signage and awnings for Oldenburg Insurance, 100 E. Chestnut St. have been replaced. Stephanie Schulte of RCEDC was advised by Chairman Stelling that funds can be released for the Bigelow project (façade improvements and signs) at 481 Milwaukee Ave. and the Oldenburg project (signage and awning) at 100 E. Chestnut St.

Review of Grant Funding Status

Stephanie Schulte of RCEDC stated that there is \$8503.12 in unobligated funds. Chairman Stelling stated that he would like to see the commission get more funding. Commissioner Hintz (as the Aldermanic Representative to the Commission) stated that he thought \$20,000 was forthcoming. Chairman Stelling stated that the rear facades of buildings need improving and it was agreed by the commission that the Council be approached to see if monies might be available for this. Chairman Stelling indicated he would move forward with the issue.

Discussion Concerning Potential/Future Projects and Notices of Violations in the Historic Preservation Overlay District

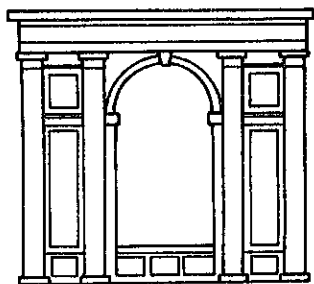
Commissioner Stelling directed Stephanie Schulte of RCEDC to find out what the current status of the historic intensive survey is from Jennifer Lehrke of LJM Architects.

Adjournment

Chairman Stelling entertained a motion. Commissioner Erickson moved to adjourn the meeting and Commissioner Hintz seconded. All aye. Motion carried. The meeting was adjourned at 4:13 P.M.

Respectfully submitted,

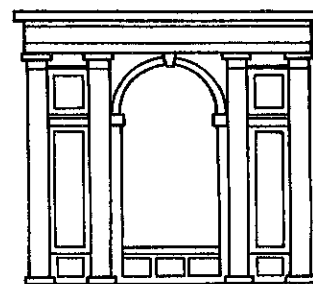
June Bobier
Administrative Assistant
City of Burlington



Burlington Public Library

166 East Jefferson Street • Burlington, Wisconsin 53105
(262) 763-7623 • Fax (262) 763-1938

www.burlingtonlibrary.org



Minutes of the Burlington Public Library Board of Trustees

The Burlington Public Library Board of Trustees met on Tuesday, March 27, 2012 in the Burlington Public Meeting Room. Present were Penny Torhorst, Steve Rauch, Pat Hurley, Mike Kelly, Kay Pockat, and Scott Johnson. Excused were Dianne Boyle, Pat Hoffman, and Dr. David Moyer. Also present were Library Director Gayle Falk, Administrative Assistant Linda Berndt, and high school representative Miranda Meyers.

Torhorst called the meeting to order at 3:58.

City Administrator Kevin Lahner spoke about the City's long range plans for renovating or replacing the library. In the coming years, the city will look more closely at the problems and strengths of the current building. After explaining financing options and other building projects the city is considering, including possible joint building plans with the county or with city hall, he suggested the Board become familiar with other new and renovated/expanded library buildings in the state. After general discussion, the meeting returned to the agenda at 4:40.

Minutes of the February 28, 2012 meeting were approved. Hurley moved, and Johnson seconded. Motion passed.

The March General Fund Bills, Prepaids, Reimbursements, February 2012 General Fund Deposits were discussed and approved. Kelly moved approval and Johnson seconded. Motion passed.

Johnson moved and Kelly seconded the motion to approve the March 2012 Trust Fund Bills and the February 2012 Trust Fund Deposits. Motion passed.

Committee Reports: No committees met.

Federated Library Report: No report.

Old Business: Kevin Lahner had his discussion at the start of today's meeting.

New Business: Improving internet response by increasing Internet bandwidth. We currently have 3 megabytes and we can get an additional 7 megabytes for \$70.00 a month. Falk proposes that we keep the staff and the Library automation system on the current 3 megabytes and move the public internet stations to the new 7 megabytes. Kelly moved and Hurley seconded the motion to approve Time Warner Cable with 7 Megabytes for \$70.00 a month with the Friends paying through the end of 2012. Motion passed.

Controlling noise level in the library: There are times in our library that patrons complain that our library is too loud. We just don't have the room for everyone to have a secluded area to converse. We have programs going on, wii games going on and people conversing. If someone complains we try to accommodate them by offering the conference or typing room for them to use. This usually eases the situation. Until we have a new building with more conference rooms or actual areas that people can go to chat, we need to evaluate and respond to each situation as it occurs.

Friends of the Library Report: Falk reported that the Friends are in the process of renewing memberships and sending out another fundraising letter.

Reference Staffing in Transition: Falk requested elimination of the reference librarian position, replacing it with an adult services librarian to head up circulation, reference and outreach. Anticipated changes in staff this summer would allow us to experiment with this configuration. Kelly moved and Johnson seconded the motion to create an Adult Services librarian position to replace the reference librarian position, with several reference assistants filling in reference hours. Motion passed.

Directors Report:

Monthly Report: Falk reported that our numbers are good. The Library had a booth at the Home Expo last Saturday and they talked a lot about downloading free ebooks and audiobooks through Overdrive. At the next meeting Falk will talk more about an article from the Library Journal that claims ebooks and cuts in book budgets cause a drop in the circulation. We have not experienced this drop yet.

April 6th is the Big Read events. There will be a program on Tom & Huck and also a craft program. During Easter week (school vacation) we will be showing a children's movie every day.

National Library Week is coming up and we are having an antique appraisal program during that time.

Gayle had a poetry book with her which has a poem by our desk clerk Courtney Parrett.

BPL in the news: There were several calendar events in the newspaper this past month.

Public Communication to the Board: Dr. David Moyer sent a letter to Falk stating that he will be leaving the Board on June 30th, as he is accepting a new position in Illinois.

Meeting was adjourned at 5:10 p.m. Hurley moved and Kelly seconded. Motion passed.

Our next meeting will be on Tuesday, April 24th at 4:00 p.m. in the Burlington Public Library meeting room.

Respectfully submitted,

A handwritten signature in black ink that reads "Steve Rauch". The signature is written in a cursive, flowing style.

Steve Rauch
Aldermanic Representative



CITY OF BURLINGTON

City Clerk

300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
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Common Council Agenda Item Number: 10	Date: May 1, 2012
Submitted By: Beverly R. Gill, City Clerk	Subject: Licenses

Details:

OPERATOR'S LICENSE

Rejon, Angel R.
Le Sage, Nicole L.
Weber, Shaynna
Gums, Katharine R.
Ziemann, Kimberly A.

CLASS "B" BEER & "CLASS C" WINE

Name: 492 Pine Coffeehouse LLC
Agent: Paul Sullivan
Address: 560 Briody Street
Trade Name: The Coffee House at Chestnut and Pine
Address: 492 North Pine Street

CHANGE OF AGENT

Name: TMP Enterprises
Trade Name: B.J. Wentkers
Address: 230 Milwaukee Avenue
Agent: Margaret L. Peterson
Address: 6847 Hwy 70 West, Eagle River

Financial Remarks:

Applicants are charged a fee of which a portion funds the background checks performed by the Police Department. Business license fees are calculated on a case by case basis depending on the type of license applied for.

Executive Action:

Staff recommends the Common Council accept the presented licenses at the March 20, 2012 Council meeting.



CITY OF BURLINGTON

Administration Department
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Common Council Item Number: 12A

Date: May 1, 2012

Submitted By: Kevin Lahner, City Administrator

Subject: A Public Hearing to discuss a rezone request for property at 216 W. Jefferson Street.

Details:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding a rezone request from Megan MacCarthy for property located at 216 W. Jefferson Street. The applicant is requesting to rezone the property from Rd-2, Two-Family Residence District to B-2, Central Business District to use the existing house as a yoga studio. This item will piggyback the Multi-Jurisdictional Comprehensive Plan Amendment for the same property.

Options & Alternatives:

Financial Remarks:

None.

Executive Action:

This item for a Public Hearing at the May 1, 2012 Common Council.

**NOTICE OF PUBLIC HEARING
FOR AMENDING THE ZONING MAP**

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Common Council of the City of Burlington proposes to amend Chapter 315 of the Municipal Code, Zoning Map, as it pertains to:

Owner:	Ruth Hammiller
Applicant:	Megan MacCarthy
Location of Request:	216 W. Jefferson Street
Existing Land Use Zoning:	Rd-2, Two-Family Residential District
Proposed Land Use Zoning:	B-2, Central Business District
Proposed Use:	Yoga Studio

Legal Description:

LAND TO BE REZONED TO BUSINESS ZONING IS THAT PART OF LOTS 8 AND 9, BLOCK 4, PLAT OF PERKINS SECOND ADDITION TO BURLINGTON, ACCORDING TO THE RECORDED PLAT THEREOF AND DESCRIBED AS FOLLOWS:

BEGIN AT A CONCRETE MONUMENT AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 4; THENCE SOUTH 70°48' WEST ALONG THE NORTHERLY LINE OF JEFFERSON STREET 464.9 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 9 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 26°31' WEST ALONG THE EASTERLY LINE OF SAID LOTS 8 AND 9 TO A POINT THAT IS SOUTH 26°31' EAST 82.66 FEET FROM THE SOUTHERLY LINE OF GENEVA STREET; THENCE SOUTH 56°49' WEST 66.1 FEET TO A POINT ON THE WESTERLY SIDE OF SAID LOTS 8 AND 9 THAT IS SOUTH 24°54' EAST 65.78 FEET FROM THE SOUTHERLY LINE OF GENEVA STREET; THENCE SOUTH 24°54' EAST 65.78 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 9, WHICH POINT IS ON THE NORTHERLY LINE OF JEFFERSON STREET; THENCE NORTH 70°48' EAST ALONG SAID NORTHERLY LINE OF JEFFERSON STREET 67.00 FEET TO POINT OF BEGINNING. SAID LAND BEING IN THE CITY OF BURLINGTON, COUNTY OF RACINE AND STATE OF WISCONSIN. SAID PARCEL CONTAINS 4,882 SQUARE FEET.

NOTICE IS FURTHER GIVEN that a Public Hearing on the above matter will be held by the Common Council in the City Council Chambers, in the City of Burlington located at 224 E. Jefferson Street on:

**TUESDAY, MAY 1, 2012 DURING THE MEETING OF THE COMMON COUNCIL SCHEDULED
TO BEGIN AT 6:30 P.M. OR SHORTLY THEREAFTER**

to hear any persons objecting to, or in support thereof, on the above mentioned matter.

CITY OF BURLINGTON

Dated at Burlington, Wisconsin, this 10th day of April, 2012.

Beverly R. Gill, City Clerk

Published in the Burlington Standard Press
April 12 & 19, 2012





CITY OF BURLINGTON

Administration Department

300 N. Pine Street, Burlington, WI, 53105

(262) 342-1161 – (262) 763-3474 fax

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Common Council Item Number: 12B	Date: May 1, 2012
Submitted By: Kevin Lahner, City Administrator	Subject: A public hearing to amend the Multi-Jurisdictional Comprehensive Plan for property 216 W. Jefferson Street.

Details:

A Public Hearing has been scheduled to hear comments and concerns from the public to amend the Racine County Multi-Jurisdictional Comprehensive Plan for property located at 216 W. Jefferson Street from Medium Density Residential to Commercial to use the existing building as a yoga studio.

This item was recommended for approval by the Plan Commission at their April 10, 2012 meeting.

Options & Alternatives:

For public comment only.

Financial Remarks:

None.

Executive Action:

This item is for a Public Hearing at the May 1, 2012 Common Council meeting.

NOTICE OF PUBLIC HEARING FOR AMENDING THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that a Public Hearing will be held by the Common Council of the City of Burlington on **Tuesday, May 1, 2012 at 6:30 p.m.** Council Chambers or shortly thereafter at the Police Department, 224 East Jefferson Street, Burlington, Wisconsin to hear public comments regarding a request for an amendment to the Multi-Jurisdictional Comprehensive Plan for Racine County 2035 by ordinance in accordance with the requirements of Section 66.1001 of the Wisconsin Statutes as it pertains to:

Owner: Ruth Hammiller
Applicant: Megan MacCarthy
Applicant Address: 2703 Browns Lake Drive, Burlington, WI
Location of Request: 216 W. Jefferson Street
Existing Land Use Zoning: Medium Density Residential
Proposed Land Use Zoning: Commercial
Tax I.D. Number: 206-03-19-32-470-180

Legal Description:

LAND TO BE REZONED TO BUSINESS ZONING IS THAT PART OF LOTS 8 AND 9, BLOCK 4, PLAT OF PERKINS SECOND ADDITION TO BURLINGTON, ACCORDING TO THE RECORDED PLAT THEREOF AND DESCRIBED AS FOLLOWS:

BEGIN AT A CONCRETE MONUMENT AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 4; THENCE SOUTH 70°48' WEST ALONG THE NORTHERLY LINE OF JEFFERSON STREET 464.9 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 9 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 26°31' WEST ALONG THE EASTERLY LINE OF SAID LOTS 8 AND 9 TO A POINT THAT IS SOUTH 26°31' EAST 82.66 FEET FROM THE SOUTHERLY LINE OF GENEVA STREET; THENCE SOUTH 56°49' WEST 66.1 FEET TO A POINT ON THE WESTERLY SIDE OF SAID LOTS 8 AND 9 THAT IS SOUTH 24°54' EAST 65.78 FEET FROM THE SOUTHERLY LINE OF GENEVA STREET; THENCE SOUTH 24°54' EAST 65.78 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 9, WHICH POINT IS ON THE NORTHERLY LINE OF JEFFERSON STREET; THENCE NORTH 70°48' EAST ALONG SAID NORTHERLY LINE OF JEFFERSON STREET 67.00 FEET TO POINT OF BEGINNING. SAID LAND BEING IN THE CITY OF BURLINGTON, COUNTY OF RACINE AND STATE OF WISCONSIN.

SAID PARCEL CONTAINS 4,882 SQARE FEET.

Copies of the Multi-Jurisdictional Comprehensive Plan for Racine County will be available for review at City Hall at 300 N. Pine Street, the Public Library at 166 E. Jefferson, or on-line at <http://racine.uwex.edu/cnred/SmartGrowth.html>

Dated the 28th day of March, 2012.

Beverly R. Gill
City Clerk
City of Burlington



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

Common Council Item Number: 12C	Date: May 1, 2012
Submitted By: Kevin Lahner, City Administrator	Subject: A Public Hearing to discuss a rezone request for property at 649-657 W. State Street.

Details:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding a rezone request from JW West Ridge, LLP for property located at 649-657 W. State Street. The applicant is requesting to rezone the property from B-1, Neighborhood Business District to Rm-2/PUD, Multiple-Family Residence District with a Planned Unit Development Overlay to construct an 8-unit apartment building. This item will piggyback the Multi-Jurisdictional Comprehensive Plan Amendment for the same property.

The Planned Unit Development Amendment for Westridge Apartments will be for discussion at the May 1, 2012 Committee of the Whole meeting.

Options & Alternatives:

For public comment only.

Financial Remarks:

None.

Executive Action:

This item for a Public Hearing at the May 1, 2012 Common Council.

NOTICE OF PUBLIC HEARING FOR AMENDING THE ZONING MAP

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Common Council of the City of Burlington proposes to amend Chapter 315 of the Municipal Code, Zoning Map, as it pertains to:

Owner: JW West Ridge, LLP
Applicant: John Wirth
Location of Request: 649 – 657 W. State Street
Existing Land Use Zoning: B-1, Neighborhood Business District
Proposed Land Use Zoning: Rm-2/PUD, Multi-Family Residential District with a Planned Unit Development Overlay
Proposed Use: 8-unit apartment building

Legal Description:

LAND TO BE REZONED TO BUSINESS ZONING IS THAT PART OF THE SOUTHEAST 1/4 OF SECTION 31-3-19 EAST, DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SECTION 31, TOWN AND RANGE AFORESAID; THENCE RUN SOUTH 1 DEG. 44' WEST ON THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 31, 933.46 FEET TO A POINT IN THE CENTER LINE OF STATE TRUNK HIGHWAY #36, THENCE NORTH 77 DEG. 27' EAST ON THE CENTER LINE OF STATE TRUNK HIGHWAY 36, 243.05 FEET TO THE PLACE OF BEGINNING OF PARCEL HEREINAFTER DESCRIBED; THENCE RUN NORTH 77 DEG. 27' EAST ON THE CENTER LINE OF STATE TRUNK HIGHWAY 36, 200.00 FEET; THENCE SOUTH 12 DEG. 33' EAST 196.25 FEET; THENCE SOUTH 77 DEG. 27' WEST 200.00 FEET; THENCE NORTH 12 DEG. 33' WEST 196.25 FEET TO A POINT IN THE CENTER LINE OF STATE TRUNK HIGHWAY 36 AND THE PLACE OF BEGINNING. THE NORTH 33.00 FEET OF SOLD PARCEL ARE USED FOR ROAD PURPOSES. SOLD LAND BEING IN THE CITY OF BURLINGTON, COUNTY OF RACINE AND STATE OF WISCONSIN.

NOTICE IS FURTHER GIVEN that a Public Hearing on the above matter will be held by the Common Council in the City Council Chambers, in the City of Burlington located at 224 E. Jefferson Street on:

**TUESDAY, MAY 1, 2012 DURING THE MEETING OF THE COMMON COUNCIL SCHEDULED
TO BEGIN AT 6:30 P.M. OR SHORTLY THEREAFTER**

to hear any persons objecting to, or in support thereof, on the above mentioned matter.

CITY OF BURLINGTON

Dated at Burlington, Wisconsin, this 10th day of April, 2012.

Beverly R. Gill, City Clerk

Published in the Burlington Standard Press
April 12 & 19, 2012

BURLINGTON TOWN

BURLINGTON CITY

MEADOW LARK DR (PRIVATE STREET)

STATE ST

AUSTIN RD

KINGS CT

WESTRIDGE

HILLSIDE DRIVE

S KENDRICK AVE

DONALD DR

HILLSIDE DR

DARDIS AVE

OAKLAND

OAKLAND

AVE

ORCHARD ST

RUSE ANN DR

LINCOLN

S. ELWOOD AVE

34825



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 -- (262) 763-3474 fax
www.burlington-wi.gov

Common Council Item Number: 12D	Date: May 1, 2012
Submitted By: Kevin Lahner, City Administrator	Subject: A public hearing to amend the Multi-Jurisdictional Comprehensive Plan for property 649-657 W. State Street.

Details:

A Public Hearing has been scheduled to hear comments and concerns from the public to amend the Racine County Multi-Jurisdictional Comprehensive Plan for property located at 649-657 W. State Street from Commercial to High Density Residential to construct a 8-unit apartment building.

This item was recommended for approval by the Plan Commission at their April 10, 2012 meeting.

Options & Alternatives:

For public comment only.

Financial Remarks:

None.

Executive Action:

This item is for a Public Hearing at the May 1, 2012 Common Council meeting.

**NOTICE OF PUBLIC HEARING
FOR AMENDING THE MULTI-JURISDICTIONAL
COMPREHENSIVE PLAN**

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that a Public Hearing will be held by the Common Council of the City of Burlington on **Tuesday, May 1, 2012 at 6:30 p.m.** Council Chambers or shortly thereafter at the Police Department, 224 East Jefferson Street, Burlington, Wisconsin to hear public comments regarding a request for an amendment to the Multi-Jurisdictional Comprehensive Plan for Racine County 2035 by ordinance in accordance with the requirements of Section 66.1001 of the Wisconsin Statutes as it pertains to:

Owner:	JW West Ridge, LLP
Applicant:	John Wirth
Applicant Address:	5470 Tuckaway Lane, Greenfield, WI
Location of Request:	649 W. State Street
Existing Land Use Zoning:	Commercial
Proposed Land Use Zoning:	High Density Residential
Tax I.D. Number:	206-03-19-31-040-002

Legal Description:

LAND TO BE REZONED TO BUSINESS ZONING IS THAT PART OF THE SOUTHEAST 1/4 OF SECTION 31-3-19 EAST, DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SECTION 31, TOWN AND RANGE AFORESAID; THENCE RUN SOUTH 1 DEG. 44' WEST ON THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 31, 933.46 FEET TO A POINT IN THE CENTER LINE OF STATE TRUNK HIGHWAY #36, THENCE NORTH 77 DEG. 27' EAST ON THE CENTER LINE OF STATE TRUNK HIGHWAY 36, 243.05 FEET TO THE PLACE OF BEGINNING OF PARCEL HEREINAFTER DESCRIBED; THENCE RUN NORTH 77 DEG. 27' EAST ON THE CENTER LINE OF STATE TRUNK HIGHWAY 36, 200.00 FEET; THENCE SOUTH 12 DEG. 33' EAST 196.25 FEET; THENCE SOUTH 77 DEG. 27' WEST 200.00 FEET; THENCE NORTH 12 DEG. 33' WEST 196.25 FEET TO A POINT IN THE CENTER LINE OF STATE TRUNK HIGHWAY 36 AND THE PLACE OF BEGINNING. THE NORTH 33.00 FEET OF SOLD PARCEL ARE USED FOR ROAD PURPOSES. SOLD LAND BEING IN THE CITY OF BURLINGTON, COUNTY OF RACINE AND STATE OF WISCONSIN.

Copies of the Multi-Jurisdictional Comprehensive Plan for Racine County will be available for review at City Hall at 300 N. Pine Street, the Public Library at 166 E. Jefferson, or on-line at <http://racine.uwex.edu/cnred/SmartGrowth.html>

Dated the 28th day of March, 2012.

—
Beverly R. Gill
City Clerk
City of Burlington

Published in the Burlington Standard Press
March 29, 2012



CITY OF BURLINGTON

Administration Department

300 N. Pine Street, Burlington, WI 53105

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www.burlington-wi.gov

Committee of the Whole Item Number: 10

Date: May 1, 2012

Submitted By: Kevin Lahner, City Administrator

Subject: Resolution 4553(4) to authorize the sale of General Obligation Street Improvement Bonds in the amount of \$3.19 million.

Details:

This item authorizes the sale of General Obligation Street Improvement Bonds in the amount of \$3.19 million. This item follows an initial resolution from April 4, 2012 that was approved on a 7-0 vote and is step two of a three step process.

Ehlers will be bringing the exhibits documenting the actual sale of the bond which will occur on the morning of Tuesday, May 15, 2012 as the third step of this process. During the sale of the bonds the actual interest rate will be set. Due to the City's AA- bond rating and historically low interest rates, we expect the rates to be very favorable.

The Common Council authorized the Initial resolution of this process on April 4, 2012 as Resolution 4547(72).

Options & Alternatives: The options and alternatives were discussed in a previous agenda item. This one step of a three step process required for the sale of the bonds. This is step 2 of a three step process. Denying the bond sale at this time would stop the sale process.

Financial Remarks: The potential savings of moving forward with the bond issue at this time ranges from \$200,000 to \$500,000. Debt payments on the \$3 million loan would be added to our debt-service tax levy. The amount of annual payments can be modified to limit the short-term impacts to the City's total tax levy. We believe that due to future TIF closures the total tax rate impacts will be minimal.

Executive Action:

This item is for discussion at the May 1, 2012 Committee of the Whole meeting and is scheduled for the Common Council meeting the same night for consideration.

**RESOLUTION AWARDING THE SALE OF
\$3,190,000 GENERAL OBLIGATION STREET IMPROVEMENT
BONDS, SERIES 2012A**

WHEREAS, on April 4, 2012, the Common Council of the City of Burlington, Racine and Walworth Counties, Wisconsin (the "City") adopted an initial resolution authorizing the issuance of general obligation bonds in an amount not to exceed \$3,190,000 for the public purpose of paying the cost of street improvement projects (the "Initial Resolution");

WHEREAS, pursuant to the provisions of Section 67.05, Wisconsin Statutes, within 15 days following the adoption of the Initial Resolution, the City Clerk caused a notice to electors to be published in the Burlington Standard Press, stating the purpose and maximum principal amount of the bond issue authorized by the Initial Resolution and describing the opportunity and procedure for submitting a petition requesting a referendum on the bond issue authorized by the Initial Resolution;

WHEREAS, to date, no petition for referendum has been filed with the City Clerk, and the time to file such a petition shall expire on May 4, 2012;

WHEREAS, on April 4, 2012, the Common Council of the City also adopted a resolution providing, among other things, for the sale of the general obligation bonds authorized by the Initial Resolution (the "Bonds") for the public purpose of paying the cost of street improvement projects (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the City has directed Ehlers & Associates, Inc., Brookfield, Wisconsin ("Ehlers") to take the steps necessary to sell the Bonds;

WHEREAS, Ehlers, in consultation with the officials of the City, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on May 1, 2012;

WHEREAS, the City Clerk (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Bonds for public sale on May 1, 2012;

WHEREAS, the City has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the City. Ehlers has recommended that the City accept the Proposal. A copy of said Proposal submitted by such

institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1A. Ratification of the Notice of Sale and Offering Materials. The Common Council of the City hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the City and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Bonds. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal is hereby accepted (subject to the condition that no valid petition for a referendum is filed by May 4, 2012, in connection with the Initial Resolution). The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be retained by the City Treasurer until the closing of the bond issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Street Improvement Bonds, Series 2012A", shall be issued in the aggregate principal amount of \$3,190,000; shall be dated May 23, 2012; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on April 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on April 1 and October 1 of each year commencing on October 1, 2012. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds maturing on April 1, 2023, and thereafter shall be subject to redemption prior to maturity, at the option of the City, on April 1, 2022, or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption. If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2012 through 2031 for the

payments due in the years 2012 through 2032 in the amounts set forth on the Schedule. The amount of tax levied in the year 2012 shall be the total amount of debt service due on the Bonds in the years 2012 and 2013; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of principal of or interest on the Bonds in the year 2012.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

(D) Appropriation. The City hereby appropriates from proceeds of the Bonds or other funds of the City on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay the interest on the Bonds coming due on October 1, 2012, as set forth on the Schedule.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$3,190,000 General Obligation Street Improvement Bonds, Series 2012A, dated May 23, 2012" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes

("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose for which the Bonds have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and the ownership, management and use of the projects will not cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code,

relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 12. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by [_____, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes] **OR** [the City Clerk or City Treasurer] (the "Fiscal Agent"). [The Fiscal Agency Agreement between the City and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit F and incorporated herein by this reference.]

Section 13. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 14. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered

owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 16. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of the proceeds of the Bonds allocable to the payment of issuance expenses to KleinBank, Chaska, Minnesota at Closing for further distribution as directed by Ehlers.

Section 17. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 20. Bond Insurance. If the Purchaser of the Bonds determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference

required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded May 1, 2012.

Attest:

Robert Miller, Mayor

Beverly R. Gill, City Clerk

(SEAL)

EXHIBIT A

Notice of Sale

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT B

Bid Tabulation

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT C

Winning Bid

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT D-1

Pricing Summary

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT MRP

Mandatory Redemption Provision

The Bonds due on April 1, _____, _____, _____ and _____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on April 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on April 1, _____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, _____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, _____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, _____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____ (maturity)

EXHIBIT E

(Form of Bond)

REGISTERED UNITED STATES OF AMERICA DOLLARS
 STATE OF WISCONSIN
 NO. R-__ RACINE AND WALWORTH COUNTIES \$_____
 CITY OF BURLINGTON
 GENERAL OBLIGATION STREET IMPROVEMENT BONDS, SERIES 2012A

MATURITY DATE ORIGINAL DATE OF ISSUE INTEREST RATE CUSIP
 April 1, ____ May 23, 2012 ____% ____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
 (\$ _____)

FOR VALUE RECEIVED, the City of Burlington, Racine and Walworth Counties, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable semi-annually on April 1 and October 1 of each year commencing on October 1, 2012, until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by [_____] OR [the City Clerk or City Treasurer] (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$3,190,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.04, Wisconsin Statutes, for the purpose of paying the cost of street improvement projects, all as authorized by resolutions of the Common Council duly adopted by said governing body at meetings held on April 4, 2012, and May 1, 2012. Said resolutions are recorded in the official minutes of the Common Council for said dates.

The Bonds maturing on April 1, 2023, and thereafter are subject to redemption prior to maturity, at the option of the City, on April 1, 2022, or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

[The Bonds maturing in the years _____, _____ and _____ are also subject to mandatory redemption by lot as provided in the resolution awarding the sale of the Bonds at the redemption price of par plus accrued interest to the date of redemption and without premium.]

In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Bond is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the City appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, upon surrender of this Bond together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Burlington, Racine and Walworth Counties, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF BURLINGTON,
RACINE AND WALWORTH COUNTIES,
WISCONSIN

(SEAL)

By: _____
Robert Miller
Mayor

By: _____
Beverly R. Gill
City Clerk

DRAFT

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)



CITY OF BURLINGTON

Administration Department

300 N. Pine Street, Burlington, WI, 53105

(262) 342-1161 – (262) 763-3474 fax

www.burlington-wi.gov

Committee of the Whole Item Number: 17	Date: May 1, 2012
Submitted By: Patrick Scherrer, Building Inspector	Subject: Motion 12-740 to approve a Certificate of Appropriateness Application in the HPC Overlay District for 133 E. Chestnut Street (Frank Troost).

Details:

The Historic Preservation Commission (HPC) recommends approval of a Certificate of Appropriateness Application for the project located at 133 E. Chestnut Street.

The proposed project consists of:

- Removal (where needed) of the existing caulk of the front brick masonry elevation of the building which faces E. Chestnut Street and replacement with new colored mortar to match the existing mortar joints (tuck pointing).
- The contractor will also fully inspect the remaining brick veneer for further damage and repair if necessary.

This Certificate of Appropriateness Application was reviewed and approved at the April 26, 2012 HPC meeting.

Options & Alternatives:

The alternative would be to not approve this request and request a different proposal.

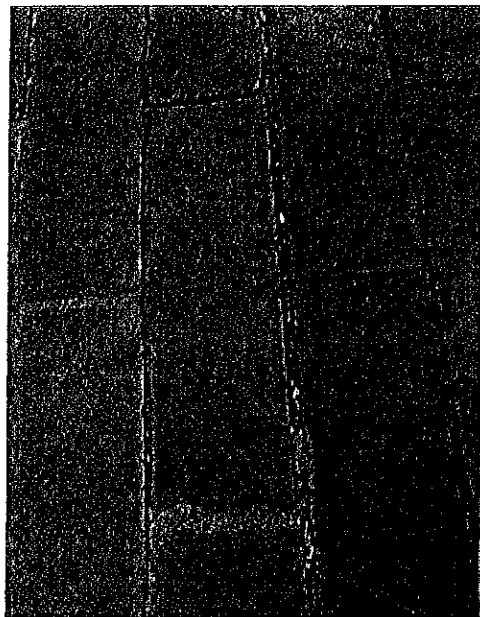
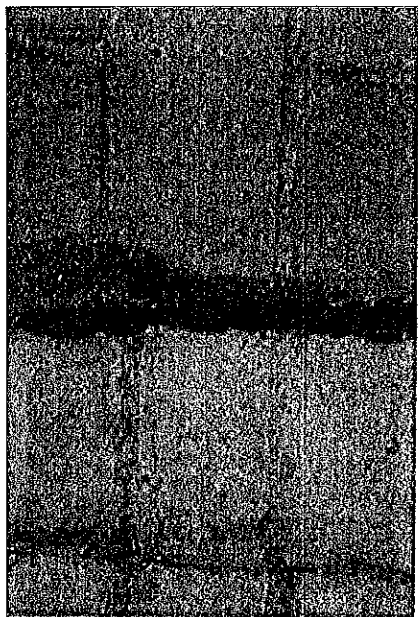
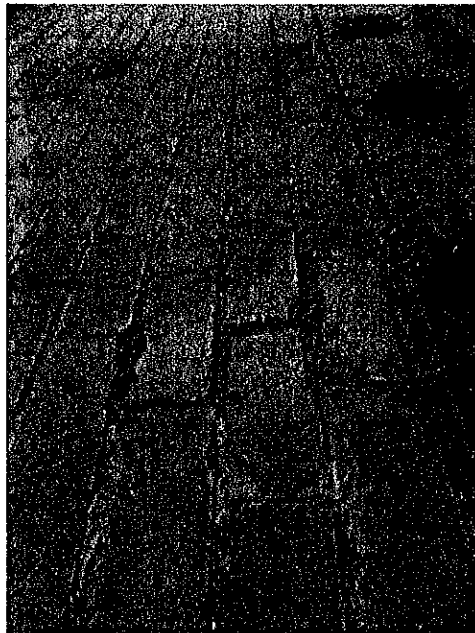
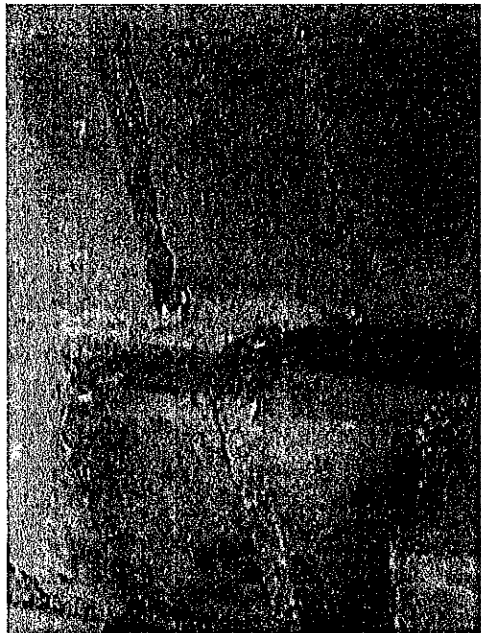
Financial Remarks:

The approved items will be paid 100% by the owner.

Executive Action:

This item is for discussion at the May 1, 2012 Committee of the Whole meeting and per common practice it is scheduled for the Common Council meeting for consideration the same night.





3/28/2012



CITY OF BURLINGTON

Administration Department

300 N. Pine Street, Burlington, WI, 53105

(262) 342-1161 – (262) 763-3474 fax

www.burlington-wi.gov

Committee of the Whole Item Number: 18	Date: May 1, 2012
Submitted By: Patrick Scherrer, Building Inspector	Subject: Motion 12-741 to approve a Certificate of Appropriateness Application in the HPC Overlay District for 492 N. Pine Street (The Coffee House at Chestnut and Pine Streets).

Details:

The Historic Preservation Commission (HPC) recommends approval of a Certificate of Appropriateness Application for the project located at 492 N. Pine Street.

The proposed project consists of:

- Glass Replacement – The replacement of glazing in the existing window frame along Chestnut Street would be consistent with Historic Design Standards to replace glazing with untinted glass.
- Storefront Window Replacement – The glass is proposed to be clear insulated glass.
- Front Door Replacement – The proposed door will be painted wood with clear glass. The paint color is proposed to be “Go-Go Marigold” to match the color of the previously approved side door. The hardware finish will be brushed nickel.
- Painting – The additional proposed exterior painting is consistent with what was previously approved for the submitted sign package. The main exterior of the building will be cream colored (Sail Cloth). Accents will be black (Black Magic) and golden-yellow (Go-Go Marigold).

This Certificate of Appropriateness Application was reviewed and approved at the April 26, 2012 HPC meeting.

Options & Alternatives:

The alternative would be to not approve this request and request a different proposal.

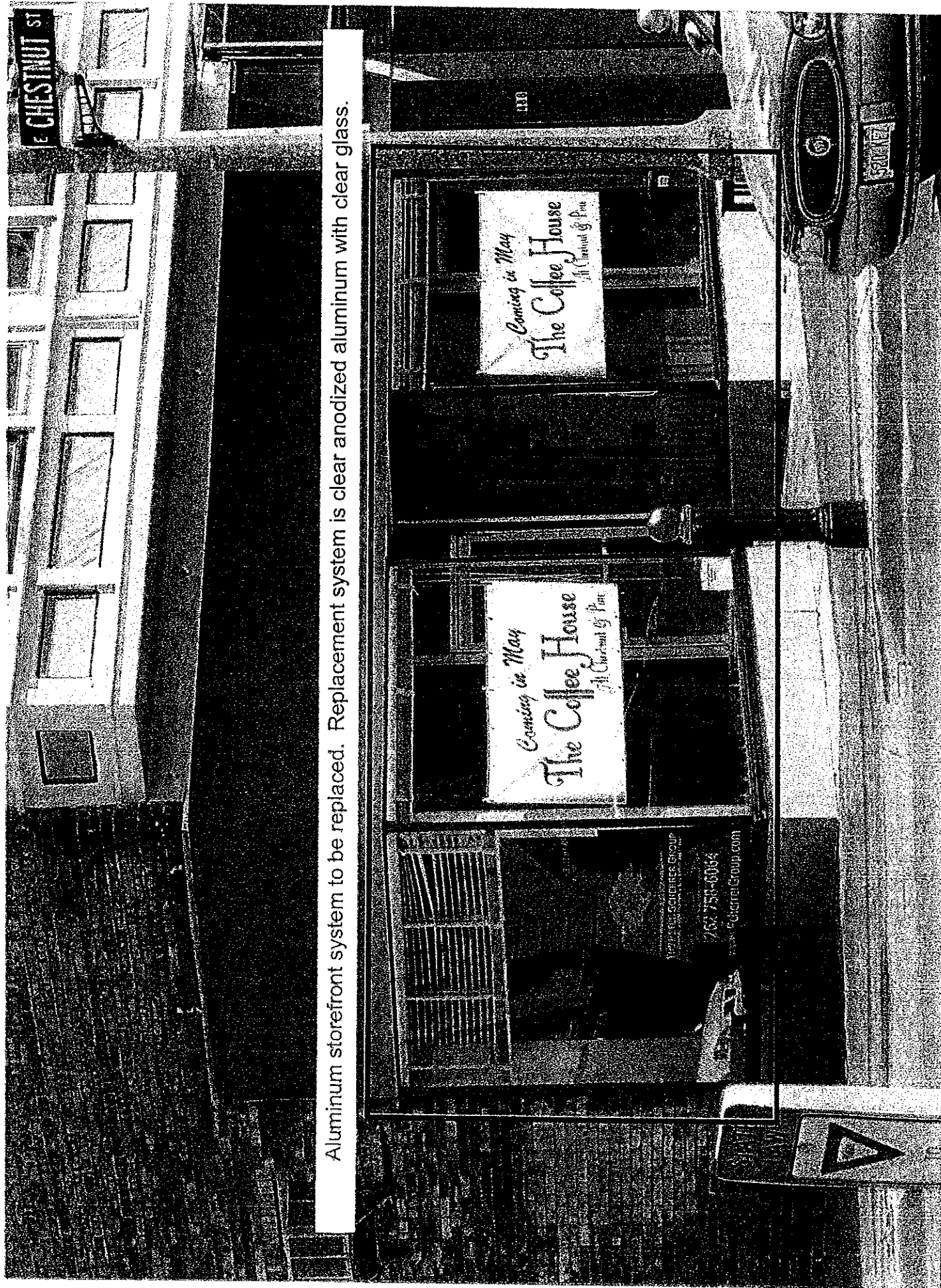
Financial Remarks:

The approved items will be paid 100% by the owner.

Executive Action:

This item is for discussion at the May 1, 2012 Committee of the Whole meeting and per common practice it is scheduled for the Common Council meeting for consideration the same night.

EXHIBIT C (pg2 of 3)



Aluminum storefront system to be replaced. Replacement system is clear anodized aluminum with clear glass.

EXHIBIT C (pg3 of 3)

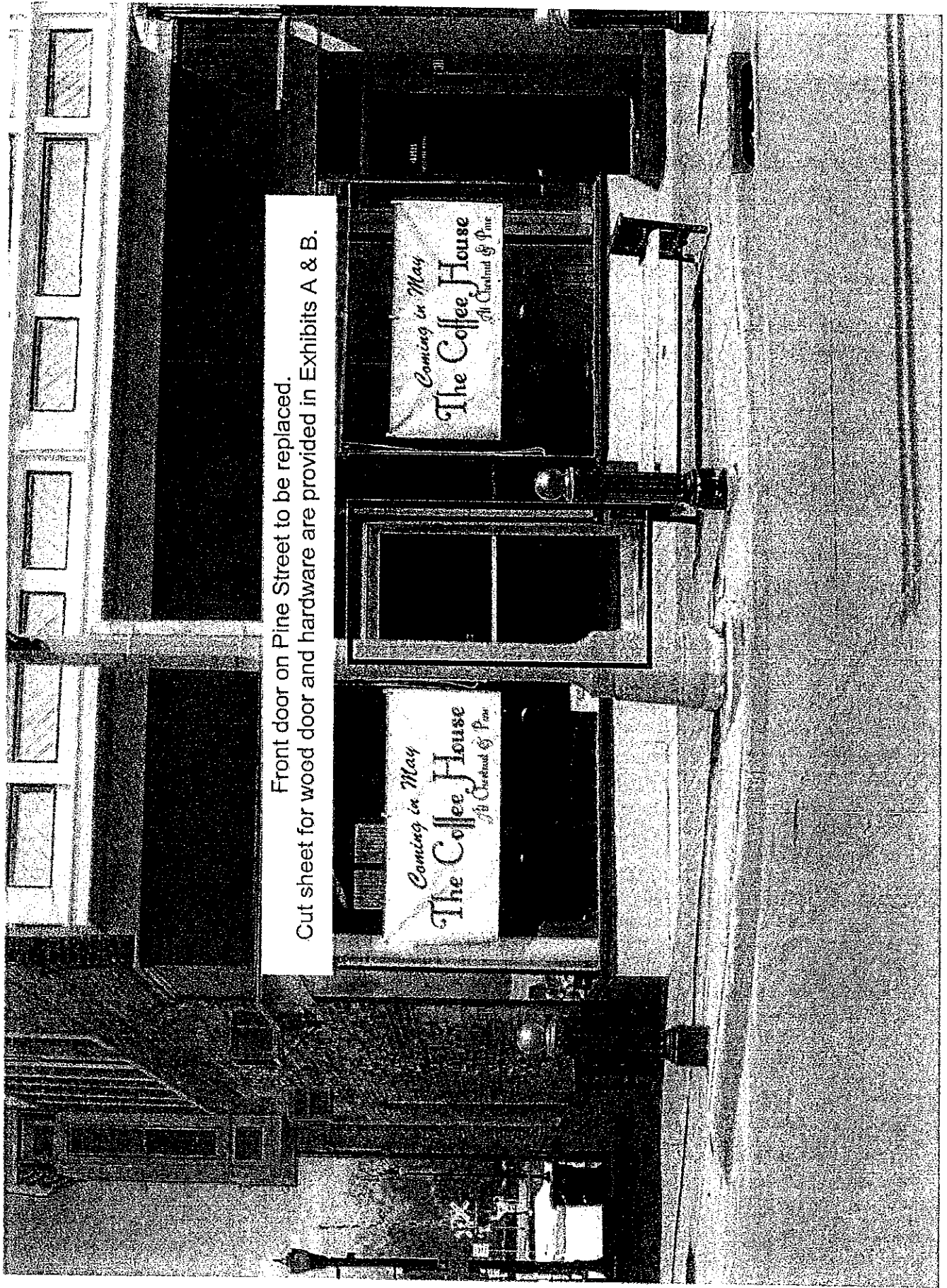
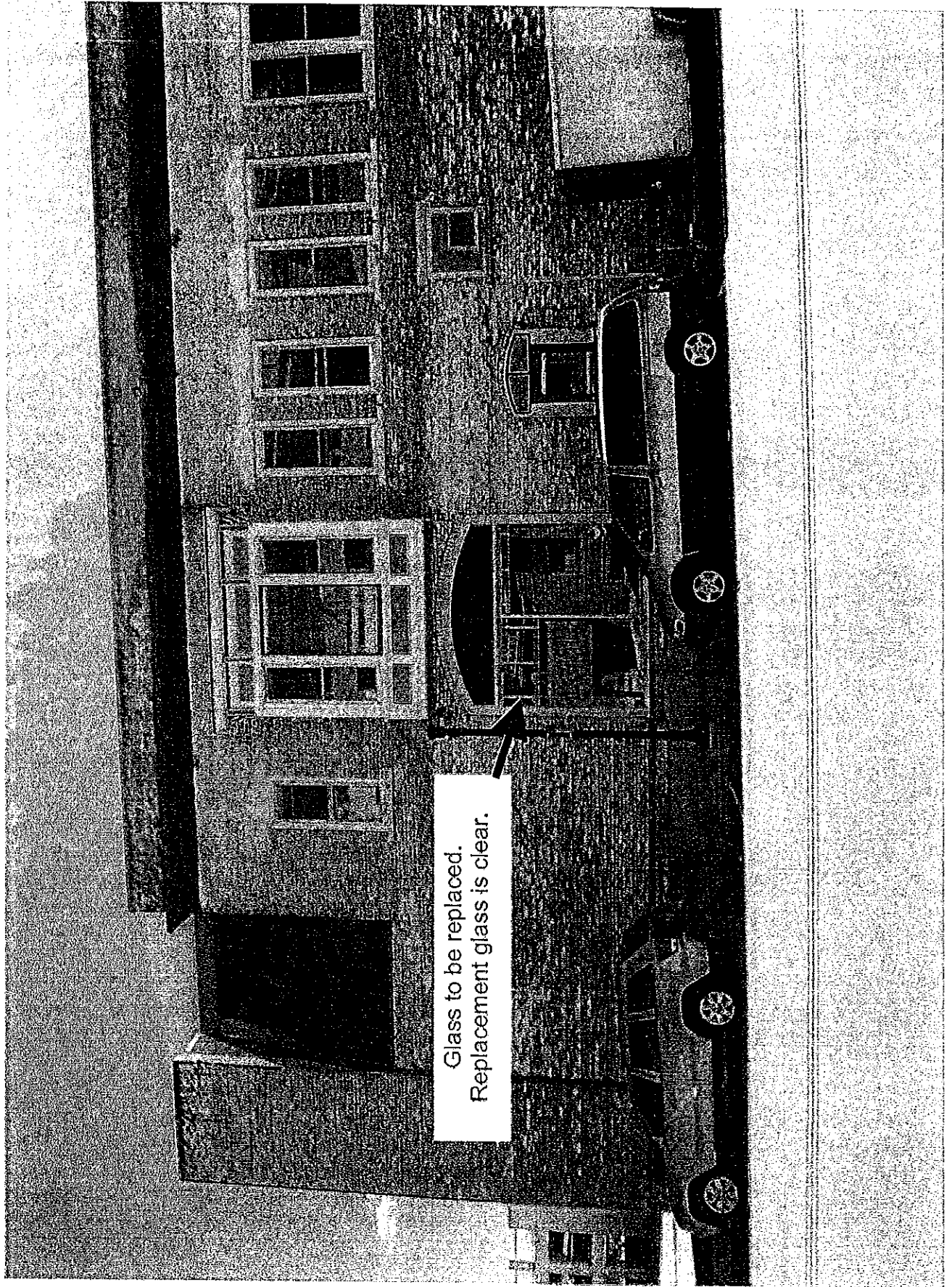


EXHIBIT C (pg1 of 3)



BURLINGTON LUMBER COMPANY

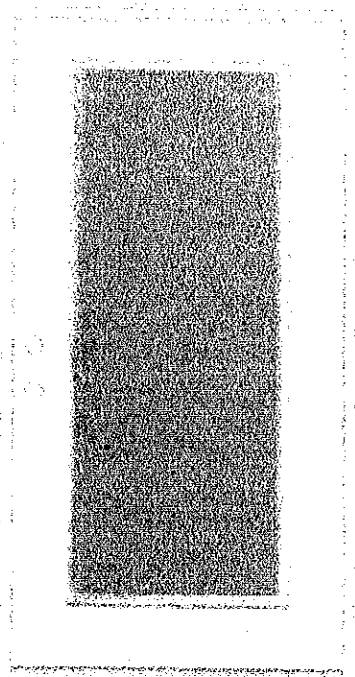
Product Image

Customer Name:

Date: 4/5/2012

3' 6" x 6' 8" WE-234 CLR Entry Door

EXHIBIT A
FRONT DOOR REPLACEMENT



Distributed by:



Version #: 3.22
Version Date: 3/16/2012



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
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Committee of the Whole Item Number: 19	Date: May 1, 2012
Submitted By: Patrick Scherrer, Building Inspector	Subject: Motion 12-742 to approve a Certificate of Appropriateness and Sign Application in the HPC Overlay District for 615 N. Pine Street (Square One Heating & Cooling).

Details:

The Historic Preservation Commission (HPC) recommends approval of a Certificate of Appropriateness and Sign Permit Application for the project located at 615 N. Pine Street.

The proposed project consists of:

- One (1) "SQUARE ONE HEATING & COOLING" sign about 120+/- inches in total length and about 30+/- inches tall, with a total area of 3,600square inches, or 25+/- square feet, and spanning the top two (2) panes of glass of the display window.
- One (1) "Residential Commercial Furnaces, Acs Boilers Air duct cleaning" sign about 38.478+/- inches in total length and about 17.5+/- inches tall, with a total area of 673 square inches, or 4.68+/- square feet, in the lower left pane of the display window.
- One (1) "Service/Warranty all makes and models Geothermal 100% Satisfaction Guarantee" signabout48.483+/- inches in total length and about 17.5+/- inches tall, with a total area of 848 square inches, or 5.88+/- square feet, in the lower right pane of the display window.

The proposed color of the signage appears to be black, white, and sand colored.

This Certificate of Appropriateness and Sign Permit Application were reviewed and approved at the April 26, 2012 HPC meeting.

Options & Alternatives:

The alternative would be to not approve this request and request a different proposal.

Financial Remarks:

The approved items will be paid 100% by the owner.

Executive Action:

This item is for discussion at the May 1, 2012 Committee of the Whole meeting and per common practice it is scheduled for the Common Council meeting for consideration the same night.

